

## ANTIOCH POLICE DEPARTMENT

---



*Tammany Brooks III, Chief of Police*

February 11, 2019

Matt Stonecipher  
Department of Police Accountability  
25 Van Ness Ave., Ste. 700  
San Francisco, CA 94102

Re: **Public Records Request**

Dear Matt Stonecipher:

Thank you for your public records request of February 7, 2019. The request seeks records for certain police records under SB 1421 related to events that occurred before January 1, 2019. This letter advises you that the City is unable to respond to your public records request at this time. The Contra Costa County Superior Court has issued a temporary restraining order that prevents Antioch, along with several other cities, from producing the requested records while it considers the legal issue of whether the SB 1421 legislation applies retroactively to records generate before its effective date. For your reference, a copy of the Court's order is attached.

The City will retain your request for records under SB 1421 while the referenced litigation proceeds. Please note that it is possible the Superior Court may continue to prohibit Antioch (and the other cities) from producing any responsive records for several months, while it considers the case on the merits. It is also possible this prohibition may additionally be extended for a significant time if any parties choose to appeal the Superior Court's final decision.

Once the City has received clear direction from the Superior Court (and any higher court) in the referenced litigation, the City will respond to your records request consistently with the final court order.

Should you have any questions about this response, please contact Interim City Attorney Derek Cole at [cityattorney@ci.antioch.ca.us](mailto:cityattorney@ci.antioch.ca.us) or (916) 780-9009.

## ANTIOCH POLICE DEPARTMENT

---

*Tammany Brooks III, Chief of Police*



Sincerely yours,

TAMMANY BROOKS  
Chief of Police

By:

*Darlene Flourney*  
Darlene Flourney  
Police Records Supervisor

TB:df

## Stonecipher, Matt (DPA)

---

**From:** Sofia Perez Leon [REDACTED]  
**Sent:** Friday, February 8, 2019 11:31 AM  
**To:** Stonecipher, Matt (DPA)  
**Cc:** Shannon Moore  
**Subject:** RE: Response to Public Records Act Request  
**Attachments:** Richmond POA TRO (2019-01-25).pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Stonecipher,

The City of Richmond received your Public Records Act request for City records that fall within Penal Code section 832.7. The Richmond Police Officers' Association has filed a Petition for Writ of Traditional Mandate, Complaint for Declaratory and Injunctive Relief against the City of Richmond in Contra Costa Superior Court (Case No. N19-0169). On January 25, 2019, Judge Treat issued a Temporary Restraining Order (attached) that restrains the City from producing any records in response to your request until this matter is resolved by the court.

Thank you,

Sofia Perez Leon | City Attorney's Office | City of Richmond  
50 Civic Center Plaza | Richmond, CA 94804-1630  
Ph: 510-620-5501 | Fax: 510-620-6518 | Email: [sofia\\_perez@ci.richmond.ca.us](mailto:sofia_perez@ci.richmond.ca.us)

**PRIVILEGE AND CONFIDENTIALITY NOTICE**

The information in this electronic mail is intended for named recipients only. It may contain privileged or confidential matter. Unauthorized use or disclosure is prohibited and may be unlawful. If you are not the intended recipient, please notify the sender by replying to this message and delete all copies of this communication from your system. Thank you in advance for your cooperation.